



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22303-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 819,292	03 27 2001	Anurag Prakash	42390P11088	4051

*590

05 15 2003

John P. Ward
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

DATSKOVSKIY, MICHAEL V

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 05 15 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,292

Applicant(s)

PRAKASH, ANURAG

Examiner

Michael Datskovsky

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,4-7,9,10,12-14,16,18,19,25-27 and 30-35 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1,4-7,9,10,12-14,16,18,19,25-27 and 30-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a three screens system positioned such that only the second display screen or the third display screen is visible (claim 33), or the second display screen and the third display screen are visible in different directions (claim 34). must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 27, 30, 33 and 34 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. There is no description in the specification of a first application of a second type of applications and a second application of the second type of

Art Unit: 2835

application (claim 27); There is no any description or drawings of means for activating the second type of applications when using the second viewing area (claim 30); It is also not cleared by the specification how in a three screens system only the second display screen or the third display screen is visible (claim 33), or how the second display screen and the third display screen are visible in different directions (claim 34). Both combinations from examiner's point of view based on the information provided by the specification are kinematically impossible, and applicant's description and drawings are too sketchy to support such structurally detailed claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9-10, 12-14, 16 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haneda et al in view of Kumar et al.

The rejection is based on the following assumption and teaching by MPEP: Although examiner agrees that Applicant is entitled to submit claims comprising a hardware platform and associated software implementation, it is necessary to point out that according to MPEP: "Office personal are reminded that finding a product claim to encompass any and every product embodiment of a process invention simply means that the Office will presume that the product claim encompasses any and every hardware of hardware platform and associated software implementation that performs

Art Unit: 2835

the specified set of claimed functions. Because this is interpretive and nothing more, it does not provide any information as to the patentability of the applicant's underlying process or the product claim." It applicant regards his invention as Product Claims Directed to Specific Machines and Manufactures, MPEP states: "If a product claim does not encompass any and every computer - implementation of a process, then it must be treated as a specific machine or manufacture. Claims that define a computer - related invention as a specific machine or specific article of manufacture must define the physical structure of the machine or manufacture in terms of its hardware or hardware and "specific software." ("Specific software" is defined as a set of instructions implemented in a specific program code segment. See Computer Dictionary 78 (Microsoft Press, 2d ed. 1994) for definition of "code segment.") The applicant may define the physical structure of a programmed computer or its hardware or software components in any manner that can be clearly understood by a person skilled in the relevant art. Also it is necessary to point out that the previous rejection was based and the following rejection is based on the assumption that it is inherent for every computer or computerized platform always to employ different computer programs (drivers) already included in the computer operation system or specifically programmed and downloaded for each kind of a display panel or a viewing area provided by a combination of several display panels (tablet touch screen type with a pen-input of a data, or a regular LCD screen with a keyboard input of the data) used in communication with said computer.

Haneda et al teach a system, Figs. 1-19, comprising: at least two modules 1 and 2 coupled to one another, each of them having a display screen 3 and 4 respectively and a set of internal components together forming a computer; wherein a display screen 4 of a first module 2 and a display screen 3 of a second module 1 either form a first viewing area when they are placed adjacent to each other (See Figs. 3 and 8b), or form a second viewing area when the first module is folded on the top of the second module such that only the first module display is visible (Figs. 5 and 8c); or are folded such that neither the display screen of the first module nor the display screen of the second module are visible (See Fig. 4), and when a low power-consumption mode is set (See col. 11, lines 39-49). It is also inherent that according to a kinematics of the device by Haneda et al both display modules can be place their back turned to each other, in which case both screens would be visible on the opposite sides of the device. Haneda et al teach furthermore said display screens being touch screen and a pen input devices (Col. 5, lines 30-35); and said system comprising means for activating applications corresponding to a type of viewing area formed by the first and second display screens (col. 5, line 20 through col. 12, line 39). Haneda et al do not teach said viewing areas being associated with different types of software or hardware applications. Kumar et al teach a portable computer, Figs. 1-18, comprising a display panel 12 being controlled by two different software applications related to a position of said display panel in a laptop mode or in a tablet (touch screen) use. It would have been obvious to one skilled in the art at the time invention was made to employ a specific software application for a respective position of a display panel as it is shown by Kumar et al in the device by

Art Unit: 2835

Haneda et al in order to support functioning of the display of the computer in different modes.

6. Claims 1, 4-7, 18-19, 25, 30-32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gouco in view of Kumar et al.

Gouco teaches a system, Figs. 1-7, comprising means for coupling a first display module 2 to a second display module 4 and to a third display module 5, such that different combinations of the display modules provide a set of different view areas. Gouco teaches furthermore said system, wherein when the first display module is folded over the second display module (Fig. 5), the first display module is visible and the second display module is invisible. Gouco does not teach said viewing areas being associated with different types of software or hardware applications. Kumar et al teach a portable computer, Figs. 1-18, comprising a display panel 12 being controlled by two different software applications related to a position of said display panel in a laptop mode or in a tablet (touch screen) use. It would have been obvious to one skilled in the art at the time invention was made to employ a specific software application for a respective position of a display panels as it is shown by Kumar et al in the device by Gouco in order to support functioning of the display modules (or combination of different view areas created by said display modules) in different modes.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Moskovitch et al (US Patent 6,343,006); Failla (US Patent 5,128,662); Miyagawa et al (US Patent 5,410,447) and Register et al.

Art Unit: 2835

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Datskovsky whose telephone number is (703) 306-4535. The examiner can normally be reached on Mn - Fry 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on (703) 308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Application/Control Number: 09/819,292

Page 8

Art Unit: 2835

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Patent Examiner

Michael Datskovsky

A handwritten signature in cursive script, appearing to read "Michael Datskovsky", written in dark ink.

May 13, 2003